

## **CITY OF TAKOMA PARK, MARYLAND**

### **PRESENTATION & WORKSESSION OF THE CITY COUNCIL (ADOPTED 1/10/05)**

**Monday, October 4, 2004**

#### **OFFICIALS PRESENT:**

Mayor Porter	City Manager Matthews
Councilmember Austin-Lane	City Clerk / Treasurer Waters
Councilmember Barry	Community & Government Liaison Ludlow
Councilmember Elrich	ECD Director Daines
Councilmember Mizeur	Public Works Deputy Director Braithwaite
Councilmember Seamens	Associate Planner Ilona Blanchard
Councilmember Williams	

The Council convened at 7:42 p.m. in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

#### **COUNCIL COMMENTS**

Ms. Porter announced a small change in the agenda. Given that the Hospital Text Amendment will be discussed at a M-NCPPC meeting on Thursday, I would like to add a worksession discussion to get a sense of the Council's position on this issue. We will take a couple of public comments at that time.

Ms. Porter asked the Council to check their calendars for a November 8 or 15 public hearing on the proposal to do bonding for completion of community center construction. Ms. Porter noted that she has asked the City Manager to put together a Newsletter article on the subject.

Following this, Ms. Porter read a statement on behalf of the Council about comments made during Council's discussion of former City Manager Rick Finn's release.

"It has come to the Council's attention that some comments made during the Council meeting on July 26 of this year may have been misinterpreted. The Council would like to take this opportunity to set the record straight.

During the discussion of the Amendment to former City Manager Rick Finn's Agreement, the Council posed a number of hypothetical situations to the City Attorney. The scenarios discussed were strictly hypothetical in nature and were posed to enhance their understanding of the reciprocal release provisions of the Agreement. We are concerned that some comments made during this discussion may have been misconstrued as pertaining to Mr. Finn. This is not the case, which is why we feel it is important to clarify this matter.

The Council regrets any misunderstandings that our discussion may have caused and we sincerely wish him all of our best in his future endeavors.

As we acknowledged by our resolution on July 12, 2004, the Council is appreciative of Mr. Finn's contributions to the City. The Council wishes him well in all future endeavors."

Mr. Williams noted that the Street Festival on Sunday was very successful. He said he hopes it is a precursor for next year when the OTBA will be taking over the festival. Mr. Williams also commented on Saturday's recycling event. It was an effort to recycle all of the precious metals, plastics and other elements of the devices. The effort was made possible with a certain amount of funding out of a state program which no longer exists and was matched by city monies. If we want to repeat it in future, we will have to find funding.

Mr. Seamens commented that Montgomery County does accept used computer equipment at their recycling center.

## **PUBLIC COMMENTS**

Eileen Sobek, Carroll Avenue, member of Sensible Growth which has concerns about the hospital text amendment item. We are not against any change, but we want to ensure that all stakeholder views are included in the proposal. The M-NCPPC meeting on Thursday is in the middle of the day which does not allow for a lot of people to attend. We will be active participants throughout the process.

Lorraine Pearsall, Vice President, Historic Takoma, said she is here to support historic growth. She said she is very concerned that the county is talking about a site plan review process which will not adequately involve the community and is interested to hear what the county is suggesting.

Rino Aldrighetti complimented the Gazette on describing this community center construction project and the City Manager's recommendation about borrowing for completion. He noted that the building project has moved from about \$2 million to \$8 million.

Ms. Porter commented that the first time there was a building drawing it was a \$6.7 million project.

Mr. Williams noted that it is now about an \$8.9 million project.

Mr. Aldrighetti noted book called "Power Broker" (by Robert Moses) and summarized the story. He said he does not want the city to pursue a bond or any further funding for this building. There is an explanation that is owed to the citizens. It would be better to go back and do an analysis of what is going on with this building. The realities should be revealed—not what people think them to be. He said he recalls when he was on the Public Safety Committee and the Committee was being asked for an endorsement of the project to assist with state funding. We

have a building that got out of control and have to find a way to finish, but it is a dis-service to the citizens to have it proceed as things have unfolded.

Ms. Porter noted that the Council has received briefings every week about the project.

Sabrina Baron, President of Historic Takoma said she is excited to hear about the fire station. She congratulated the county representatives and Daryl Braithwaite who have worked so hard to resolve the concerns of residents. With respect to the Laurel Avenue project, Ms. Baron expressed concern that the design of the bollards has changed. She expressed concern that we should go back to the original bollard design which was approved by Historic Takoma and the Historic Preservation Commission. She also expressed concern that the timeframe accommodate the business community.

Tom Gagliardo asked what are we getting in square footage for the \$8.9 million for the community center?

Mayor Porter said she can get that information.

Mr. Gagliardo said that the project was originally proposed to develop a gym, primarily for indoor soccer. He said he is shocked now to learn that we are spending so much on a facility without a gym.

## **PRESENTATIONS**

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### **1. Update on Community Center Construction Project.**

Ms. Matthews reported that staff has been evaluating how we move forward with this level of the project – community plaza. We will need to relocate staff from their present office space. Due to technical difficulties, we are looking at the option of moving staff into this room, as well as the library and some possible trailers. We are looking at options of where to hold council meetings in order to continue televising the meetings.

Mr. Williams noted we are trying to address the needs of about 20 people who need to be relocated. The thrust is to try to work it out so that the council meetings will continue to take place in this room.

Mr. Seamens said he does not see the need to continue the meetings in this room as long as meetings remain public. We'll want to keep costs under control.

Ms. Porter noted that in Barnesville, meetings had been held for many years around the Mayor's dining room table.

Mr. Williams said that given the expectations and history of the residents of the city, we hope that we can deal with this difficulty in way so as to not put residents in the position of not having

access to the council meetings.

Ms. Austin-Lane remarked about the number of workers on the project. I have noted an increase in the numbers.

Ms. Matthews said she has requested daily worklogs from the contractor. He has provided that list. They are under review.

Ms. Porter said we will have a larger discussion of the project next week.

## **2. Update on Fire Station Renovation.**

Steve Lamphier and Daryl Braithwaite provided the update. Mr. Lamphier noted others in the audience from the county and the TPVFD. He thanked Historic Takoma for their support and comments. We are moving through the design development process (about 50% of completed drawings). We are starting to develop specs and think they will be completed in about two weeks. Due to SHA, we had to move the handicap parking space that was planned in front of building. Another request of SHA was to change one curb cut on the temporary station site. Stormwater plans have been submitted to the city and are being reviewed. We are tentatively scheduled to appear in October before HPC. After that, we will proceed to the mandatory referral process before M-NCPPC. We are planning to start construction in August 2005. We are still working out some of the land acquisition issues, including 7133 Carroll Avenue. As long as we have 2000 sq. ft. per dwelling unit, the house can have accessory apartments. We will work out that there be three units total. He acknowledged the work of Daryl Braithwaite. The process has gone very well. We would like the city's support on the HPC and the mandatory referral processes. Tim Miller, of KCI Technologies, and Greg Gilbert, architect with Watkins, Bignell and Hasser

Tim Miller noted that there has not been a whole lot of change in the site plan. We have met with the SHA representative to get feedback and comments. They were very pleased with us holding the current location of the station. They wanted to prohibit vehicles from running up against the entry doors and bays. We have taken the handicap space and moved it to the side. We have held a 2% slope in all directions for handicap accessibility. The station does not have an elevator. We have also placed a handicap space under the station. There are 26 regular spaces; 2 handicap. SHA has approved the temporary station on the city lot. They would like to see some minor upgrades to the apron onto the city lot. They would also like to make some signal changes to ensure free flow of vehicles in/out of the station. We have submitted a stormwater plan to the city. We need to take care of one other element before mandatory referral.

Ms. Austin Lane asked that Ms. Braithwaite keep the Council apprised of the process.

Mr. Williams said, that, with respect to traffic signal, we want to ensure that the discussion about how to best "clear the intersection" also address the benefit to all. I want to see a win-win out of

this change.

Mr. Miller agreed. We will have the traffic engineer contact the city as the discussion moves forward. The state is well aware of the concerns.

Greg Gilbert provided an update on building design and materials. He referred to drawings of the building and site elevations. He said they took samples of the stones and have started to create a palette of stone/bricks.

Male (Unidentified) remarked about the current brick/stone of the station. He said he thinks that the brick should be deep red with darker brown brick accents.

Mr. Gilbert commented on the shingle options.

Male said, if affordable, we would like the little roof on the tower to be copper. He commented on the options for light fixtures. We want the building to fit well with the community.

Mr. Gilbert said, KCI is doing the streetscape design so they have all of the information on the project. We will tie the project into the streetscape work.

Ms. Austin-Lane asked about the plan to get community input on the elements?

Male said, we will be happy to take comments from residents after this presentation.

Ms. Porter asked, could you hold a special community meeting?

Mr. Gilbert, said, we might be able to set up something at the site as the project moves forward

Ms. Porter said, it would be helpful if there were an opportunity for broader community to look at and comment on the ideas.

Mr. Lamphier agreed. He said we will come back with a proposed timeframe for that discussion.

Ms. Mizeur asked, how certain are you that the picture being presented tonight is the reality of the final building. She referred to the community center and the changes that have occurred during development.

Mr. Lamphier said he thinks that the building will be like the drawing being displayed tonight.

Ms. Mizeur asked what kinds of management controls will be on project to ensure that some of the elements are unfunded/removed.

Mr. Lamphier said we can't say there will be no changes. There is a contingency fund of approximately 10%. Until we get to construction documents and go out to bid, we do not know

whether we will have to do some value engineering.

Ms. Mizeur asked for a commitment that we will not be caught off guard and surprised in this process (i.e., wants community informed along the way and certainty that there will be an opportunity for community input on significant changes).

Mr. Lamphier said if there is a significant change to the building or site, we will bring that back to the Council.

Ms. Mizeur added, including the construction date.

Mr. Lamphier said President Hamm keeps him updated on the present required fixes on the existing building. As soon as have date on mandatory referral, we will contact the City.

Ms. Austin-Lane asked, can you give more details about the neighboring house, which continues to be a blight.

Ms. Braithwaite said we have the designs for the site and will come back to the Council with recommendation on the construction. We have started the process of circulating the drawings to construction firms. We hope that by end of October we will have the drawings circulated to three to five firms and be in a position to bring it back to the Council.

Ms. Austin-Lane asked if there is anything we should prepare residents for between now and January, which would further delay the project.

Ms. Braithwaite said the only thing to hold us up at this point is if bids come back well beyond our budget from the County.

Ms. Austin-Lane asked when do you foresee a final arrangement with the family?

Ms. Braithwaite said that is being negotiated with the county. The accessory apartment discussion had been holding up the process. That has been resolved.

Mr. Lamphier said we worked to resolve the zoning issue related to the accessory apartments. That seems to have been resolved this afternoon. He and Daryl will be meeting with Mike Cassidy on October 18 to discuss the Options Contract.

Ms. Austin-Lane asked that Council be notified when this contract is signed. This has been a tricky process since its start. I appreciate the work on the project.

Ms. Porter also extended thanks, acknowledging the work that has taken place.

### **3. Proposed Hospital Text Amendment.**

Suzanne Ludlow, M-NCPPC staff Carlton Gibert and Greg Russ made the presentation.

Greg Russ said any legislation introduced in the county would affect all hospitals located in a one-family residential zone. The Planning Board will be reviewing this on Thursday afternoon. Tonight's comments are on behalf of P&P. He commented on the importance of health care facilities and read from a written statement. He noted some of the decisions made by the County Council regarding regulation of hospitals. They make land use decisions. The Board of Appeals makes decisions about the special exception process. Planning finds this to be problematic. The Planning Board is best equipped to review and decide on the construction elements. We believe that the existing process needs to be modified. The County Council should delegate to the Planning Board the decisions about the physical elements of the buildings. Expansions of existing hospitals should be dealt with through a modified site plan process. He remarked about the proposed changes to the current process. Staff recommends that there be a long-term expansion plan. There should be an adequate facilities finding and appropriate public input. Input would be to the Planning Board versus the Board of Appeals.

Suzanne Ludlow indicated that there has been limited time to review the text of this site plan text amendment. There is a concern about the role of the community in the site plan review process. There is very little beyond the public hearing that is held. Another portion of the text amendment that is interesting is the requirement for the long-range development plan. However, there is nothing specific about the requirements associated with the plan. She commented on the link to the Master Plan and noted her experience with Rochester, New York. They carried out somewhat of a master plan process for the campuses of hospitals and colleges. Community input would be involved in the process. The question is the community vision for the site. Things change on a site, but the question is whether people understand how to effect change. She recommended that M-NCPPC consider a master plan for each hospital/college campus and provided some examples. This type of process works well.

Mr. Elrich commented that the materials distributed tonight reads like something written by Linowes and Blocker. The document implies that there has been a danger to health care as a result of projects being delayed/stopped. I do not see anything wrong with the Special Exception process. It is not a large burden. County hospitals have been very profitable. He commented on state regulations pertaining to hospitals. A little over a year ago, the hospital indicated that it could not go outside of a two mile radius from the hospital site. Shady Grove has a medical building nine miles away. Who met to develop this plan (i.e., Linowes and Blocker)? I do not know of any residents who have been included in the discussion of this proposal.

Mr. Williams said he would like to see a change in the process, and to see the community buy in to a long term process. He noted he could not find the information on the Park and Planning web site. Anything to help make the information more available would be very important and helpful.

Ms. Ludlow commented that she has filed a complaint with their customer relations department.

Ms. Porter commented on the special exception process. The City has been put in awkward position. In order to be heard before the Board of Appeals we would incur legal fees (e.g., special attorney). Having a hospital is a desirable thing for community. She said she does not share Mr. Elrich's feelings – the hospital has some concerns. Unless there is a constructive way to deal with hospital and community needs, there will be continued conflict. There needs to be a more inclusive process.

Mr. Barry agreed. It seems that there are some powerful forces. He referred to page 5 of the agenda item and read from the document. It seems like a laundry list of things that should be addressed. Why would you suggest otherwise?

Mr. Russ said the thought process was to include these conditions as part of the site plan review process. If conditions are applicable, they would be included in the site plan.

Mr. Williams commented, if the process changes as proposed and there is then reference back to our Master Plan...when we originally did this project, we thought knew what we were addressing at that time. I do not want to reopen our Master Plan process.

Mr. Elrich commented on the opposition to the hospital expansion. People were most concerned about the medical office building. The hospital needs to be responsible. There is a need to look at the best and most efficient ways to run institutions.

Mr. Seamens said he thinks that the hospital and community would agree that the special exception process does not work well. By shifting to a site plan review process, it eliminates the opportunity for community input. He said he thinks that Ms. Porter's idea is good. The community needs to be put on an equal plane with these expansions.

Ms. Mizeur said she has worked in her professional career to ensure health care for all who need the benefits. She tends to support most of Mr. Elrich's comments. She referred to the proposal. The issue has to be balanced—all perspectives should be taken into consideration. She referred to page 5 of the agenda item. Why wasn't the proposal presented from the standpoints of each group of stakeholders?

Joel Gallihue (Zoning Analysis Team of M-NCPPC), said he worked on the memo. He is familiar with the WAH proposal. He has concern that the line of discussion this evening is under-estimating the Planning Board's ability to hold an effective public hearing. He remarked about the special exception forum. That forum does include the criteria that was referenced earlier. It might be good in certain projects. He encouraged the Council not to underestimate the Planning Board's staff to conduct the proposed process.

Mr. Russ commented that, some years ago, the County Council gave advice that we should look at the process. The idea about replacing the special exception with the site plan review, began in-house.



Mr. Elrich noted that the hospital that was approved for this community was a small facility. What is there now is not the original use/size.

Mr. Gallihue commented that the hospital predates the approval process by more than 20 years

Ms. Porter said she needs sense of Council's guidance to her about testimony before the Planning Board. Commonalities from this discussion (1) no Council support for the proposal, (2) looking for something that maximizes community input and is constructive. She said she is sure that the Planning Board could hold a hearing to get community input. She is intrigued by Master Plan process; it moves the discussion forward in a constructive way.

Mr. Elrich said, could Park and Planning slow down the WAH expansion process? We need a process that works for all of us.

Mr. Williams noted that if the hospital knew of its intention to expand, they did not notify the City during the Master Plan process.

Mr. Barry commented on the additional traffic that would be generated by the expansion.

Mr. Williams recalled the concern a few years ago about the helicopter trips to/from the hospital.

Mr. Gallihue referred to Ms. Ludlow's suggestion. He commented on the city's Master Plan. In the end, it may be that the tool used on a day-to-day basis might be a site plan review process.

Ms. Porter noted another thing about the Master Plan process is that it is forward-thinking. People are frustrated because they do not know what is happening with the hospital project.

Mr. Elrich said the hospital should have to prove that they have a need.

Ms. Ludlow commented on procedures at the upcoming hearing.

Ms. Porter asked, if the proposal is transferred to the County Council, does it go to the PHED Committee?

Mr. Russ replied that it goes to the President of the County Council.

Ms. Mizeur asked, after tonight's discussion, is there some thought about delaying taking this up on Thursday?

Mr. Russ said he met with Planning Board in July. We looked at different options. At that time, the Planning Board said to continue the process as it stands. He will express on Thursday the comments made this evening.

Andrew Strongin, Poplar Avenue, said he appreciates when someone does something honestly

and in good faith. He does not think that those present this evening did anything wrong. This zoning text amendment is not defensible. He supports the comments made by the City Council. They cannot put forth an amendment based on private concerns/complaints from only one side of the argument; cannot justify changing a process that is proven to work. The special exception process works. The community has been involved in numerous conversations with/without the county.

Bob Guldin, speaking as a resident. We have been waiting for last two years for the hospital to file its special exception application. They have not tried to make the process work. Why?

Mr. Gallihue noted that during the process, they filed application for a minor exception. There were complaints. A long-term development plan was required. I do not know why there has been a delay.

Hank Prensky, Sligo Creek Parkway remarked about the helicopter trips to/from the hospital. The introduction to this item assumes that the four hospitals in the county referenced in the presentation are in the same situation. Over the past 2-3 years, we have been battling over the availability of public health service over economic enhancement to the hospital. We are still waiting to see the long term plan that is required. The process is bogged down because they did not follow it.

Catherine Tunis, as member of Committee on the Environment, said she sat on the Master Plan Advisory Group. We had a large group. There was a representative from WAH. That person was asked to bring back to the group information about development changes planned by the hospital. They came forward after the process with their expansion plans. She said she does not believe that this was unknown. She remarked about the early hospital expansion plan meetings which were not properly announced. She does not think that the hospital has been respectful of public processes. She does not oppose all of the expansion elements, but thinks that the hospital manipulated the public process to get their position on the table. They were very slow in response when she contacted them about erosion issues.

Lorraine Pearsall, Vice President, Historic Takoma, said she is disappointed in this proposal. She has worked with some of the M-NCPPC staff for years. She remarked about the Planning Board hearing process. An idea that is harmful to this community has been put forward which could well be supported by the Planning Board. She noted the meeting that she and some others had with Park and Planning staff.

Ms. Porter urged the audience to attend the hearing on Thursday. She will convey the points made by the Council this evening at the hearing on Thursday. She appreciates the Planning Board staff coming forward this evening to share details about the proposal.

## **BREAK**

The Council recessed for a scheduled break at 10:03 p.m. and reconvened in Worksession.

## **WORKSESSION**

### **4. Laurel Avenue Construction.**

Staff members Ilona Blanchard and Sara Daines were present for the discussion.

Ms. Blanchard briefed Council on the project, timing/scheduling, process and budget. We recently learned that we can reschedule the construction. We had originally planned to start construction in the summer. We bid the project, but due to the closeness to the holiday season, we have been able to reschedule the construction until after the holiday season. The bollards and landscaping will be bid-out separately from the other construction. We opened bids today. They ranged from just under \$200,000 to just over \$230,000. We will be rating over the next week, and come back to the council on October 11<sup>th</sup> for further direction. She distributed a breakout of the project costs/budget and commented on the availability of the original bollards. We started looking for an alternative bollard when we were in the process of meeting a Fall construction schedule.

Ms. Porter asked for clarification. We have spent the design/survey monies and this spreadsheet shows an over expenditure in construction cost?

Ms. Daines explained.

Ms. Blanchard said we will be requesting funds from the state. We will be looking to negotiate items in the bids. With the rescheduling of the project, we could refuse all of the bids and put out to bid again. We sold 15 bid packages, but only received three bids. She commented on some of the possible reasons for so few bids being submitted (based on the Fall start in the schedule).

Ms. Porter commented that her experience has been that construction costs are rising very quickly. It is impossible to guess what all of the issues were. Do not underestimate the possibility of an increase in the bids.

Mr. Elrich asked who did the estimate on the project costs?

Ms. Blanchard replied that it was a mix. Part of it was staff calling vendors to get prices on construction materials. The consultant provided some of the other information.

Ms. Daines noted that was part of reason that we are bidding out the bollards and landscaping separately. It will make it easier to negotiate the costs.

Mr. Elrich said he raised the question because we have seen other projects where bids come in higher than the estimates.

Ms. Daines said that KCI is the firm that we have been working with on this project. It is a

totally different firm than others used in past experiences of bids coming in higher than estimates.

Mr. Williams commented on the costs of construction projects today.

Ms. Austin-Lane asked what will be the impact of moving the construction from Fall to Spring?

Mr. Williams suggested that if they are bidding further out, contractors will have more time to schedule and do not have the winter weather concerns. At the same time, he would not count on savings by moving the construction to the Spring.

Ms. Blanchard noted that we do have the option of turning it around and re-bidding for Winter/Spring construction.

Ms. Porter urged that staff find savings in the project. We do not know where in budget to find additional funds.

Ms. Austin-Lane said she remembers the \$275,000 being designated for this project.

Ms. Blanchard said the only thing spent so far is the design costs (\$13,000).

Ms. Austin-Lane asked what funded the previous design work?

Ms. Daines said that was a prior grant. That money has been spent.

Ms. Austin-Lane said she was concerned that the community may feel that there was no sense in asking for their input since staff made the “alternative” choice on the bollards.

Ms. Daines responded. She said we consulted the county, indicating that we wanted to delay the project, which would require an amendment to the contract. We have to go through the legal process of amending the contract. While the county has been working on that, we have looked at alternatives about timing on other projects planned by the City.

Ms. Austin-Lane asked if the county approved the amended contract?

Ms. Matthews provided an explanation of requirements related to reimbursements and the necessity to expend county monies prior to being able to draw on state revitalization monies. The county approval is no longer an issue. We have found another way to time the street work.

Mr. Williams remarked about the responsibilities associated with purchasing materials outside of the overall contract.

Ms. Daines commented that we have informed the business community that the construction has been delayed until the Spring.

Ms. Austin-Lane asked, why has the Carroll Avenue street work been delayed?

Ms. Blanchard said there were similar issues, the complexity of the design being one element. She remarked about communications with SHA.

Ms. Daines noted that some of the design elements are outside of the norm with respect to things they generally review/approve.

Ms. Austin-Lane commented that for residents who have been talking about this, it has been seven to eight years. We had a five-year grant that we did not spend in time and had to get special permission to renew. She is concerned with the perception that we are not able to finish things on time.

Ms. Blanchard said staff is working with SHA to ensure that the review process moves as quickly as possible. Because of the setting time required for concrete work and other construction requirements, we cannot do street work in the late Fall/Winter.

Ms. Austin-Lane suggested that staff approach the neighborhood association with an update.

## **5. Community Legacy Grant.**

Ms. Daines said that staff is proposing a grant for continuance of the capacity building program. There is a short turn-around being mandated by the state. The applications are due on Wednesday. The Council resolution is not due until November 1. The awards will be announced in mid-October. We are looking to match the \$25,000 already in the City Priorities money. Also, we are looking at dedicating some in-kind staff time. The State also requires that tenants have to repay the monies in some form. She explained the proposed repayment structure of the pre-development costs. None of the options allows us to capitalize on a revolving loan fund, with the exception of the city's \$25,000. She commented on the participation level with the candidates for the tenant "opportunity to purchase."

Mr. Elrich said he would be interested in follow-up discussion with the county/state to see whether they have anything in the form of revolving loans.

Ms. Daines said we have met with the county to discuss affordable monies or mortgage programs. They do not have a single resource for this type of activity. The state has a similar situation. Maybe, the state is starting to realize condo conversation as an affordable housing initiative.

Mr. Seamens commented that the city has the highest density of affordable housing in the county. This program moves housing from affordable into market rate housing. He continues to support this because it is good for first time homeowners. However, the Council should not lose sight of the impact on affordable housing stock. This grant is good for continuing this program.

Ms. Daines commented that a number of tenants (at the recent Montgomery County Housing Fair) from the city disputed the affordable nature of housing in the city.

Ms. Austin-Lane asked if this the same source of monies used for the parking garage study.

Ms. Daines said, if this is approved, this will be the third time that we have been able to take advantage of this program.

Ms. Austin-Lane asked if staff considered using this program (forgivable loan) for additional funds for construction of the parking garage? When did staff receive notice of this program?

Ms. Daines said that was not one of the projects considered. She believes we learned of the program on September 23 (training date). Since we have already received two grants for the garage, the probability would have been low for additional funds for that project.

Ms. Porter noted she sees a Council majority to proceed. A legislative item will be scheduled.

## **6. Legislative Priorities.**

Ms. Ludlow noted that this item was originally scheduled for September 7 but was postponed due to the late hour that evening. I have updated the materials. The agenda will identify how staff and council pursue various legislative items. Generally, we look for money or projects that we feel would be advantageous to the city. For the past couple of years, we have gone to the state for community center funding. We might want to discuss how to proceed this year. One consideration is the timing on receipt of the funds if we are successful. After the discussion on the Community Center next week, Council could give further direction about how to proceed with the state on this initiative. We will want to continue to court the state legislators with respect to this item.

Ms. Porter said she would like to keep this option open. She agrees that we cannot proceed tonight. Discussions with county officials were pretty clear—we are not going to get more county dollars.

Ms. Ludlow said she did pursue discussion with the county about folding the gym into a larger funding option for school gyms. That does not seem to be going forward. We have always advocated through SHA for street improvements. There is an appreciation at the state level that this area needs attention. There are discussions about a bus transit center, as well as the Purple Line. There is not funding at this point for an interim facility, but I think there is a good deal of commitment for the interim facility. I have included some information about stricter pedestrian safety legislation. I would think that we would want to continue supporting these items. She remarked about homicide-related laws.

Ms. Porter agreed that the City should support this. She spoke to other municipalities at the MML Chapter meeting. There is a sense that the legislation will not move forward this year,

although there is a good deal of support.

Mr. Seamens said he remains hopeful that it will move forward.

Ms. Austin-Lane noted the work of Pauline Menes to rally support. There is community interest in the legislation. I would like to see us push heavily on this.

Ms. Porter noted that one legislator is planning to resubmit his speed camera legislation.

Mr. Seamens confirmed that this category also includes legislation targeted at aggressive drivers.

Ms. Ludlow commented on the legislation regarding retaliatory evictions.

Ms. Porter suggested that we ask for MML's support.

Ms. Ludlow commented on the opt-out aggregation for electric power. It is one of the MML priorities.

Mr. Seamens noted that the committee that the council established to look at electricity management is supporting this legislation.

Ms. Ludlow remarked about the C-SAFE program. The protection of funding for municipalities is extremely important.

Ms. Porter noted the tendency of the current administration to take monies from counties/cities to assist with state budget.

Ms. Ludlow remarked about legislative efforts targeted at the county level. We will want to urge the county to identify funds to support the community process related to selection of the Purple Line route. She expects a good amount of discussion about the hospital text amendment.

Mr. Elrich commented on density issues and affordable housing. We should encourage the county to seek funds for purchase of existing units—to look for more creative solutions.

Mr. Porter said she thinks a staff recommendation to watch this item is appropriate.

Ms. Ludlow explained why she included a “watch” of the discussion about a restructure of the county council. “At Large” representatives have been helpful in past debates/efforts.

Mr. Elrich noted that in a county where there are all at-large representatives, you have an elected body that is supported by commercial entities.

Mr. Seamens commented that there are different levels of “support” for all items on the list. He thinks that we should throw the full weight of the City behind some of the items (i.e., pedestrian

safety and opt-out aggregation). There are a couple of items where the probability is so low that he wonders if hurts us to keep them on the list (community center funding - state/county).

Ms. Ludlow commented on the federal options. Again, we have community center funding as an item that should be left open. We should continue to pursue monies for police. We will need to send our follow-up support on the Purple Line. She gave a recap of her recommendations and the council consensus.

Mr. Seamens noted we do not want to miss opportunities for federal police monies.

Ms. Ludlow commented that another county-related item could be things that roll out of the tax duplication discussions.

Mr. Barry suggested that homeland security should be reviewed as a source that we can tap.

## **ADJOURNMENT**

The Council adjourned for the evening at 11:38 p.m.